



Table 3. Review Requirements for In-water Projects (BINMIC matrix)

DCLU and Fire Dept. Permits (November 29, 2000) This matrix is provided for informational purposes only. It is the user's responsibility to independently determine which laws apply to their project.

	Pilings		Bulkhead	Rip rap	Dredging and filling		Installation of Outfalls	Stockpiling/Storage
Controlling Regulatory Authority	New, replacement, or repair below water	Repair above water, pile cap work		New	Maintenance			
Shoreline Substantial Development Permit (Application required to determine if project is exempt or not exempt) <u>Zoning Information:</u> 206-684-8850	No, provided project is valued at less than \$2,500 OR is exempted as normal maintenance, repair, or replacement of existing structures or developments. Application for an exemption is required. Exemptions to be reviewed by a fisheries biologist.		Yes, unless deemed to be a normal protective bulkhead for a single-family residence. Application for an exemption is required. Exemptions to be reviewed by a fisheries biologist.	Yes, unless project is valued at less than \$2,500.	Yes, unless project is valued at less than \$2,500.	No, provided project is valued at less than \$2,500 OR is exempted as normal maintenance dredging. Application for an exemption is required; no additional reviews are necessary.	Yes, unless project is valued at less than \$2,500.	Allowed if the shoreline environment designation permits stockpiling and storage as principal or accessory uses.
SEPA (DNS, DS, or mDNS) <u>Applicant Services Center:</u> 206-684-8850	Environmental review (SEPA) required only for new pilings, not for repair or replacement of existing pilings	No	Environmental review required for any work associated with new or existing bulkheads or rip rap wholly or partially in water		Environmental review required.		No	Maybe
Designated Environmental Critical Areas <u>Site Development Desk</u> 206-233-7232	Technical reports and ECA review required, except for maintenance, repair, renovation, or alteration of structures in existence on 11/31/92							No if stockpiling/storage is not part of a construction activity. If a grading permit is required for stockpiling, ECA review required.
Zoning <u>Zoning Information:</u> 206-684-8850	Does not apply.							Possible. Check if use is allowed by zone.
Stormwater, Grading, and Drainage Control Code <u>Site Development Desk</u> 206-233-7232	No		Yes for any grading within 10 feet of mean higher high tide. Grading thresholds vary for different types of sites.				Yes if grading or land disturbing activity is involved.	No if material is entirely consumed in business production, e.g. raw material stockpiles/storage. Yes if soil is stockpiled related to a construction permit/land disturbing activity.
Building Code or Director’s Rule (Building Permit) <u>Technical Backup:</u> 206-684-4630	Yes, for any structural work	Yes, for any structural work	Yes	Yes if structural	No	No	Yes if structural	Possibly, depending on what is stored or stockpiled. The more hazardous the material stored or stockpiled, the more strict the construction requirements.
Demolition Permit <u>Applicant Services Center:</u> 206-684-8850	Yes	Yes	Yes	Possibly	No	No	Probably not	No
Fire Code or Admin. Rule <u>Rich Richardson:</u> 206-386-1450 <u>Lynne Kilpatrick:</u> 206-386-1450 <u>General Information:</u> 206-386-1400	Fire Code may apply depending on nature and extent of work. Since these projects also require building permits and the Fire Marshal’s Office reviews most projects through the building permit process, usually no separate Fire Department review or permit is required.				No	No	No	Possible. Depends on the type and quantity of material. Possibly, depending on what is stored or stockpiled. The more hazardous the material stored or stockpiled, the more strict the construction requirements.



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Controlling Regulatory Authority	Pilings		Bulkhead	Rip rap		Dredging and filling	Installation of Outfalls	Stockpiling/Storage
	New, replacement, repair below water	Repair above water, pile cap work		New	Maintenance			
Section 404 Permit,^{a, b} Corps of Engineers, Seattle District <u>Telephone:</u> 206-764-3495	Not likely, provided no dredging, filling, or discharge of dredged material to US waters. Corps may exercise authority to require permit in the future.	Not likely, although Corps may exercise authority to require permit in the future.	Yes. Nationwide permit process may apply for minor or minor maintenance projects				Not likely, provided no dredging or filling in waters of the US. Corps may exercise authority to require permit in the future.	No
Section 10 Permit,^{a, b} Corps of Engineers, Seattle District <u>Telephone:</u> 206-764-3495	Yes. Permit required for work in navigable waters of the United States.	Not likely, although Corps may exercise authority to require permit in the future.	Yes. Permit required for work in US navigable waters. Nationwide permit process may apply for minor or minor maintenance projects					No
Coastal Zone Management Consistency Determination,^a <u>WA Dept. of Ecology</u> 425-649-7000 <u>Permitting Assistance Center Gen'l Information</u> 1-800-917-0043 <u>NW Regional Office</u> Ann Kenny 425-649-4310 www.ecy.wa.gov/programs/sea/pac/index.html	Yes. However, depending on the project, compliance may be authorized through the Corps' NWP or Letter of Permission	No, provided a Section 10 Permit is not required. Yes if a Section 10 Permit is required.	Yes. However, depending on the project compliance may be authorized through the Corps' NWP or Letter of Permission.					No
Clean Water Act Section 401 Water Quality Certification,^a <u>WA Dept. of Ecology</u> 425-649-7000 <u>Permitting Assistance Center Gen'l Information</u> 1-800-917-0043 <u>NW Regional Office</u> Ann Kenny 425-649-4310 www.ecy.wa.gov/programs/sea/pac/index.html	No, provided a Section 404 Permit is not required. Yes if a Section 404 Permit is required.		Yes. Nationwide permit process may apply for minor or minor maintenance projects.				No, provided a Section 404 Permit is not required. Yes if a Section 404 Permit is required.	No
State Hydraulic Project Approval Permit, Washington Dept. of Fish and Wildlife <u>Region 4:</u> 425-775-1311	Yes. HPA permit required for any construction activity in or near state waters. Major fresh and salt-water activities include, but are not limited to, streambank protection; construction of bulkheads, fills, boat launches, piers, dry docks, artificial reefs, dock floats, and marinas; placement of utility lines; pile driving; and dredging.							Yes if part of construction activity. Would likely be covered by HPA permit for construction activity.
Aquatic Use Authorization Washington Department of Natural Resources (WDNR) <u>Division of Aquatic Lands:</u> 360-902-1100	Possibly, should check with WDNR	No	Possibly, should check with WDNR					No
Puget Sound Clean Air Agency 206-343-8800 www.pscleanair.org	Not likely, unless work involves building demolition.			Not likely if material stays in water, i.e. doesn't become airborne. Contact PSCAA for clarification or visit their website.		Possible due to construction activity. Contact PSCAA for clarification or visit their website.	Possible, depending if stockpiled or stored material is part of air pollution generating or control equipment.	

^a Joint Aquatic Resources Permit Application (JARPA) may be used to apply for the indicated permits
^b Applicants are required to prepare a Biological Assessment (BA) or Biological Evaluation (BE) and submit this document to the Army Corps of Engineers (Corps). The Corps consults with the National Marine Fisheries Service and the US Fish and Wildlife Service (Services) using the BA



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Controlling Regulatory Authority	Wharf/Dock/Pier: New, Extension, Maintenance		Wharf/Dock/Pier: Uses				
	Decking repair or replacement	New or Additional overwater coverage	Mooring	Hot work	Marine Service Station/ Refueling	Marine Terminal	Change of Use or Occupancy
Shoreline Substantial Development Permit (Application is required to determine whether exempt or not exempt.) <u>Applicant Service Center:</u> 206-684-8850	No, provided project is valued at less than \$2,500 OR is exempted as normal maintenance, repair or replacement of existing structures or development. Exemption is required. Exemptions to be reviewed by a fisheries biologist include the following: conforming piers, non-conforming piers and/or covered moorages, and piers accessory to single family residential structures worth <\$2,500 in salt water or <\$10,000 in freshwater.	Yes, unless project is valued at less than \$2,500. Exemption is required. Exemptions to be reviewed by a fisheries biologist.	No use shall be legally established unless it is consistent with the policy of the Shoreline Management Act and the regulations of the Seattle Shoreline Master Program, including uses permitted in the shoreline environment.				
SEPA (DNS, DS, or mDNS) <u>Applicant Services Center:</u> 206-684-8850	No.	Environmental Review required.	Any change of use in an existing structure, either wholly or partially over water, will trigger Environmental Review.				
Designated Environmental Critical Areas <u>Site Development Desk</u> 206-233-7232	Technical reports and ECA review required, except for maintenance, repair, renovation, or alteration of structures in existence on 11/31/92.		Does not apply.				
Zoning <u>Zoning Information:</u> 206-684-8850			Possible. Check if use is allowed by zone				
Stormwater, Grading, and Drainage Control <u>Site Development Desk:</u> 206-233-7232	Does not apply, provided no land disturbing activity a part of project.		Does not apply.				
Building Code or Director's Rule (Building Permit) <u>Technical Backup:</u> 206-684-4630	Yes, if any structural work	Yes	Possibly due to exiting and barrier free code issues	Possibly, depending on the use that the hot work is with.	Yes	Yes	Yes if change affects construction requirements or requires structural work
Demolition Permit <u>Applicant Services Center:</u> 206-684-8850	Yes	No, unless demolition of existing structures a part of project	Does not apply.				Yes if change requires demolition of existing structures
Fire Code or Admin. Rule <u>Rich Richardson:</u> 206-386-1450 <u>Lynne Kilpatrick:</u> 206-386-1450 <u>General Information:</u> 206-386-1400	Fire Code may apply depending on nature and extent of work. Since these projects also require building permits and the Fire Marshal's Office reviews most projects through the building permit process, usually no separate Fire Department review or permit is required.		Possibly, depending on Fire Department access and pier or float length and type of construction.	Yes. On marine vessels moored at the pier, Admin. Rules 49.1 and 49.2 apply. Also, Article 49 applies to cutting and welding activities performed on the pier	Yes. Article 52 applies for marine service stations and fuel transfers from fixed equipment. Permit required and special permit conditions for transfers to vessels from tank vehicles and other portable equipment.	Yes. Any facility operating as a marine terminal in the city is required to comply with Administrative Rule 80.1.	Yes. Change could affect construction and fire fighting equipment requirements



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	Decking repair or replacement	New or Additional overwater coverage	Mooring	Hot work	Marine Service Station/Refueling	Marine Terminal	Change of Use or Occupancy
Section 404 Permit,^{a, b} Corps of Engineers, Seattle District 206-764-3495	Not likely, although Corps may exercise authority to require permit in the future.	No, provided no dredging, filling, or discharge of dredged material to US waters. Corps may exercise authority to require permit in the future.	Does not apply unless construction activity requiring a federal permit is involved.				
Section 10 Permit,^{a, b} Corps of Engineers, Seattle District 206-764-3495	Not likely, although Corps may exercise authority to require permit in the future	Yes. Permit required for work in US navigable waters.	Does not apply unless construction activity requiring a federal permit is involved.				
Coastal Zone Management Consistency Determination,^a <u>WA Dept. of Ecology</u> 425-649-7000 Permitting Assistance Center Gen'l Information 1-800-917-0043 <u>NW Regional Office</u> Ann Kenny 425-649-4310 www.ecy.wa.gov/programs/sea/pac/index.html	No, provided a Section 10 Permit is not required. Yes if a Section 10 Permit is required.	Yes. However, depending on the project, compliance may be authorized through the Corps' NWP or Letter of Permission.	Does not apply unless construction activity requiring a federal permit is involved.				
Clean Water Act Section 401 Water Quality Certification,^a <u>WA Dept. of Ecology</u> 425-649-7000 Permitting Assistance Center Gen'l Information 1-800-917-0043 <u>NW Regional Office</u> Ann Kenny 425-649-4310 www.ecy.wa.gov/programs/sea/pac/index.html	No, provided a Section 404 Permit is not required. Yes if a Section 404 Permit is required.		Does not apply unless construction activity requiring a federal permit is involved.				
State Hydraulic Project Approval Permit^a <u>WDFW Reg. 4:</u> 425-775-1311	Yes. HPA permit required for any construction activity in or near state waters.		Does not apply unless construction activity in or near state waters is involved.				Yes if change requires construction.
Aquatic Use Authorization Washington Department of Natural Resources (WDNR) <u>Division of Aquatic Lands:</u> 360-902-1100	No	Possibly, should check with WDNR.	Does not apply, unless lease required to operate business.				
Puget Sound Clean Air Agency (PSCAA) 206-343-8800 www.pscleanair.org	No, unless involves building demolition or other construction activity requiring registration with PSCAA.	Possible due to construction activity or the type equipment that may be placed/used on pier/dock/wharf.	Businesses need to be registered with the Puget Sound Clean Air Agency (PSCAA) if they have operations that generate air emissions such as dust, smoke, solvent fumes or odors. Some of the activities that might create emissions include the following: boilers, spray-coating operations, use of solvents, gasoline storing and dispensing, degreasing, dry cleaning and coffee roasting. A complete list of businesses that need to register is found in Regulation I, Article 5 (see website). A permit is also required to construct, install or modify equipment that generates air emissions. Building demolition or asbestos removal also require that you notify the PSCAA and follow specific procedures.				

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